

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

V.

PAO VANG,
JHOVANNY DELGADO-MARCELO,
JOHNNY XIONG,

Defendants.

CASE NO. 1:20-CR-00116-NONE-SKO

**ORDER ALLOWING DEFENDANT'S
APPEARANCE ON STATE OF CALIFORNIA WRIT
FOR HABEAS CORPUS AD TESTIFICANDUM**

PAO VANG,
JHOVANNY DELGADO-MARCELO,
JOHNNY XIONG,

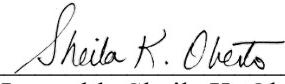
On November 2, 2021, Superior Court Judge Michael Idiart for the State of California, County of Fresno, requested that the bodies of the above-named defendants, Pao Vang, Jhovanny Delgado-Marcelo, and Johnny Xiong, be produced in Fresno County Superior Court in order that proceedings in connection with People v. Ger Lee, F2090000024, may proceed. The defendants have been subpoenaed to testify in the preliminary hearing and their appearances are necessary for that hearing to proceed. The defendants are currently in the custody of the United States Marshal, charged in the above-entitled action, housed at the Kern County Jail (Lerdo). It appearing that the defendants have been ordered to be present for a hearing in the state action, and that the next court appearance in the above-entitled case will not conflict with the state appearance:

IT IS HEREBY ORDERED that deputies of the Fresno County Sheriff's Office or their designee may produce the defendant in Fresno County Superior Court for the preliminary hearing proceedings in the matter of People v. Ger Lee, F2090000024, scheduled to begin on November 9, 2021, for purposes of their testimony at the preliminary hearing, but shall return each of them to the custody of the United States Marshal Service in the physical custody of Kern County Jail (Lerdo) immediately after the proceeding has concluded following each day of testimony.

1 The Court further orders that the Fresno County Sheriff's Office or their designated agents shall
2 produce the defendant for future state court proceedings with his return immediately thereafter to the U.S.
3 Marshal Service, if the Fresno County Sheriff's Office confirms with an Assistant U.S. Attorney that no state
4 court appearance conflicts with any federal court appearance. Under no circumstances are the named
5 defendants to be released from the physical custody of the Kern County Jail (Lerdo) other than for the court
6 appearances that are the subject of this Order, or scheduled federal court appearances, or upon further order
7 from this court.

8 IT IS SO ORDERED.

9
10 Dated: 11/4/2021



Honorable Sheila K. Oberto
United States Magistrate Judge